

AGENDA
VILLAGE OF WHEELING SPECIAL MEETING OF THE
LIQUOR CONTROL COMMISSION
MONDAY, AUGUST 2, 2010 AT 6:30 PM
BOARD ROOM, 2 COMMUNITY BOULEVARD
WHEELING, ILLINOIS
CHAIRPERSON JUDY ABRUSCATO PRESIDING

THIS MEETING WILL BE TELEVISED ON WHEELING'S CABLE CHANNELS 17 & 99

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL FOR ATTENDANCE**
- 4. APPROVAL OF MINUTES:** Special Meeting of July 19, 2010
- 5. IN CONSIDERATION OF A CLASS D LIQUOR LICENSE**

Omkara Corp. d/b/a Convenient Food & Liquor
1018 Lake Cook Road
- 6. ADJOURNMENT**

IF YOU WOULD LIKE TO ATTEND A VILLAGE MEETING BUT REQUIRE AN AUXILIARY AID SUCH AS A SIGN LANGUAGE INTERPRETER, PLEASE CALL 847-499-9085 AT LEAST 72 HOURS PRIOR TO THE MEETING.

AGENDA
VILLAGE OF WHEELING REGULAR MEETING
MONDAY, AUGUST 2, 2010 IMMEDIATELY FOLLOWING THE
SPECIAL MEETING OF THE LIQUOR CONTROL COMMISSION
BOARD ROOM, 2 COMMUNITY BOULEVARD,
WHEELING, ILLINOIS
VILLAGE PRESIDENT JUDY ABRUSCATO PRESIDING

THIS MEETING WILL BE TELEVISED ON WHEELING CABLE CHANNELS 17 & 99

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL FOR ATTENDANCE**
- 4. APPROVAL OF MINUTES** Special Meeting of July 12, 2010
- 5. CHANGES TO THE AGENDA**
- 6. PROCLAMATIONS, CONGRATULATORY RESOLUTIONS AND AWARDS**
- 7. APPOINTMENTS AND CONFIRMATIONS**

Judith Edelstein – Senior Citizen Commission
Sue Knippen – Senior Citizen Commission
- 8. ADMINISTRATION OF OATHS**

Judith Edelstein – Senior Citizen Commission
Sue Knippen – Senior Citizen Commission
- 9. CITIZEN CONCERNS AND COMMENTS**
- 10. STAFF REPORTS**
- 11. CONSENT AGENDA - All items listed on the Consent Agenda are considered to be routine by the Village Board and will be enacted by one motion. There will be no separate discussion of these items unless a Board member or citizen so requests, in which event the item will be removed from the general order of business and considered after all other regular Agenda items.**
 - A. Ordinance** Authorizing the Sale of Unclaimed Property Possessed by the Wheeling Police Department
 - B. Ordinance** Authorizing the Sale of Personal Property Owned by the Village of Wheeling
- 12. OLD BUSINESS**
- 13. NEW BUSINESS All listed items for discussion and possible action**
 - A. Ordinance** Granting Special Use to Allow Package Liquor Sales in a Proposed Convenience Store, 1081 Lake Cook Road (Docket No. 2010-19)

- B. **Resolution** for Improvement by Municipality under the Illinois Highway Code for Section 10-00073-00-SW
- C. **Resolution** Authorizing a Change Order for Construction of Fire Station 42/Headquarters for a Deduction of \$11,407.00 from the Project Contingency Fund
- D. **DISCUSSION RE:** Industrial Lane Improvements
- 14. **OFFICIAL COMMUNICATIONS**
- 15. **APPROVAL OF BILLS** July 15, 2010 – July 28, 2010
- 16. **EXECUTIVE SESSION**
- 17. **ACTION ON EXECUTIVE SESSION ITEMS, IF REQUIRED**
- 18. **ADJOURNMENT**

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VILLAGE OF WHEELING

LEGISLATIVE COVER MEMORANDUM

AGENDA ITEM NO(S):#11.A.
(To be inserted by Deputy Clerk)

DATE OF BOARD MEETING: August 2, 2010

TITLE OF ITEM SUBMITTED: Ordinance Authorizing the Sale of Unclaimed Property Possessed by the Wheeling Police Department

SUBMITTED BY: William Benson, Police Chief

DESCRIPTION OF ITEM¹: Ordinance permitting the sale of miscellaneous property in the possession of the Police Department.

BUDGET²: See attachments

BIDDING³: N/A

EXHIBIT(S) ATTACHED: Ordinance, Property Manifest

RECOMMENDATION: Approval

SUBMITTED FOR BOARD CONSIDERATION: VILLAGE MANAGER 

¹ The purpose of the proposed item and a description of same. If the issue is site specific, such as an annexation or road improvement, a map must be attached to the memorandum.

² If applicable, provide all budgetary considerations as follows: is the item covered in the current budget; fund(s) the item is to be charged to; expenses per fund(s) and total cost; and necessary transfer(s) or supplemental appropriation(s).

³ If applicable, describe the bidding process and results for purchases and contracts. If applicable, state whether or not any particular city, state or federal program was considered

ORDINANCE _____

**AN ORDINANCE AUTHORIZING THE SALE OF UNCLAIMED PROPERTY
POSSESSED BY THE WHEELING POLICE DEPARTMENT**

WHEREAS, the Wheeling Police Department has in its possession unclaimed, lost or stolen property, and

WHEREAS, the property has been in the possession of the Wheeling Police Department for the past six months;

WHEREAS, the identities or location of the persons entitled to the property can not be ascertained; and

WHEREAS, Chapter 765, Act 1030, et seq. of the Illinois Compiled Statutes provides for the sale of unclaimed property; and

WHEREAS, the Village Clerk has advertised the sale of the property at least 10 days prior to the date of the auction;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF WHEELING, COUNTIES OF COOK AND LAKE, STATE OF ILLINOIS:

SECTION ONE: Pursuant to chapter 765, Act 1030, et. seq., of the Illinois Compiled Statutes, the President and Board of Trustees of the Village of Wheeling find that the following described property:

Listing as described on Exhibit A (attached), dated July 22, 2010, is unclaimed, lost or stolen and subject to sale to the highest bidder resulting from an Internet on-line auction.

SECTION TWO: Pursuant to said Act 1030, the Village Manager is hereby authorized and directed to sell the aforementioned property using the services of an Internet on-line auction website. If said property does not sell at auction, the Village Manager or his designee is hereby authorized to dispose of the property in any way he finds appropriate.

SECTION THREE: Upon payment of the full auction price, the on-line auction website is hereby authorized and directed to convey and transfer title to the aforesaid personal property to the successful bidder.

SECTION FOUR: This Ordinance shall be in full force and effect from and after its passage, by a vote of at least three-fourths of the corporate authorities, and approval in the manner provided by law.

Trustee _____ moved, seconded by Trustee _____ that
Ordinance No. _____ be adopted.

President Abruscato _____

Trustee Argiris _____

Trustee Brady _____

Trustee Heer _____

Trustee Horcher _____

Trustee Lang _____

Trustee Vogel _____

PASSED this _____ day of _____, 2010, by the President and
Board of Trustees of the Village of Wheeling, Illinois.

Judy Abruscato
Village President

ATTEST:

Elaine E. Simpson
Village Clerk

APPROVED AS TO FORM:

Village Attorney



RCN #: 3290

To: Benson, William

From: Property Control Officer, Rodgers, Peter

Date: 07/22/2010

Re: Request for Auction of Property

As property control officer of the Wheeling Police Department, I request permission to prepare for auction the below listed property now in our department's custody.

Department Case #: 03-11222

Item #: TWW4

Item Description: One sealed box with: - Qty: 1 - Other item(s) gateway box cont/gateway tablet pc pentium m 1ghz, mobil keyboard and stand, ser#30500601 and software.

Current Custody: Stored In Location - Auction Box

Property Room.com Barcode



6108-000082

Auct. Item #

BID Amount

Department Case #: 06-8168

Item #: JRB1

Item Description: The following item was collected: - Qty: 1 - Bicycle Red Roadmaster Mt Fury bike ser# F04020005704.

Serial #: F04020005704**Current Custody:** Stored In Location - Impound Lot

Property Room.com Barcode



6108-000170

Auct. Item #

BID Amount

Department Case #: 07-4855

Item #: JEB1

Item Description: The following item was collected: - Qty: 1 - Bicycle Blue Mongoose bicycle ser# AX365393.

Serial #: AX365393**Current Custody:** Stored In Location - Impound Lot

Property Room.com Barcode



6108-000189

Auct. Item #

BID Amount

Department Case #: 08-2298

Item #: PWR15

Item Description: The following item was collected: - Qty: 1 - Tool(s) Dewalt 18V receipricating saw DC385, ser# unknown.

Current Custody: Stored In Location - Auction Box

Property Room.com Barcode



6108-000089

Auct. Item #

BID Amount

Department Case #: 08-2565

Item #: TOM-03

Item Description: One sealed paper bag with: - Qty: 1 - Personal property Sylvania brand video/DVD player ser# U34541838.

Serial #: U34541838**Current Custody:** Stored In Location - Auction Box

Property Room.com Barcode



6108-000171

Auct. Item #

BID Amount



RCN #: 3290

To: Benson, William
From: Property Control Officer, Rodgers, Peter
Date: 07/22/2010

Re: Request for Auction of Property

Department Case #: 08-2565



Item #: TOM-04

Item Description: One sealed box with: - Qty: 1 - Personal property
Dewalt brand DCOll radio.

Current Custody: Stored In Location - Auction Box

Property Room.com Barcode



6108-000176

Auct. Item #

BID Amount



Item #: TOM-12

Item Description: One sealed paper bag with: - Qty: 1 - Personal
property E machines computer keyboard ser# N2K21067115.

Serial #: N2K21067115

Current Custody: Stored In Location - Auction Box

Property Room.com Barcode



6108-000172

Auct. Item #

BID Amount



Item #: TOM-19

Item Description: One sealed paper bag with: - Qty: 1 - Clothing
Head brand tennis bag w/2 Wilson brand tennis rackets.

Current Custody: Stored In Location - Auction Box

Property Room.com Barcode



6108-000177

Auct. Item #

BID Amount



Item #: TOM-21

Item Description: One sealed paper bag with: - Qty: 1 - Personal
property MVP Pro-Tech brand air pump.

Current Custody: Stored In Location - Auction Box

Property Room.com Barcode



6108-000173

Auct. Item #

BID Amount



Item #: TOM-22

Item Description: One sealed paper bag with: - Qty: 12 - Personal
property 12 Womens glasses including 1 pair of BCBG Maxazria
glasses.

Current Custody: Stored In Location - Auction Box

Property Room.com Barcode



6108-000174

Auct. Item #

BID Amount



Item #: TOM-7

Item Description: One sealed paper bag with: - Qty: 1 - Personal
property black cloth bag cont/Pinoeer brand in dash CD player ser#
BDPG035563.

Serial #: BDPG035563

Current Custody: Stored In Location - Auction Box

Property Room.com Barcode



6108-000175

Auct. Item #

BID Amount

Department Case #: 08-3156

To: Benson, William
From: Property Control Officer, Rodgers, Peter
Date: 07/22/2010

Re: Request for Auction of Property

Department Case #: 08-3156

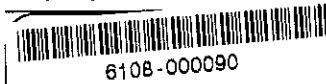


Item #: CMR1

Item Description: One sealed plastic bag with: - Qty: 1 - Jewelry Ladies Bulova wrist watch gold in color.

Current Custody: Stored In Location - Auction Box

Property Room.com Barcode



6108-000090

Auct. Item #

BID Amount

Department Case #: 08-3733



Item #: JGM1

Item Description: The following item was collected: - Qty: 1 - Bicycle Blue Mongoose bicycle ser# SNFSD07DE2518.

Current Custody: Stored In Location - Impound Lot

Property Room.com Barcode



6108-000168

Auct. Item #

BID Amount

Department Case #: 08-3788



Item #: TOM01

Item Description: One sealed plastic bag with: - Qty: 1 - Personal property Escort X50 radar detector passport 8500.

Current Custody: Stored In Location - Auction Box

Property Room.com Barcode



6108-000088

Auct. Item #

BID Amount

Department Case #: 08-3809



Item #: TOM03

Item Description: One sealed plastic bag with: - Qty: 1 - Other item(s) 30GB black IPOD ser# 8M625M3HTXK.

Current Custody: Stored In Location - Auction Box

Property Room.com Barcode



6108-000092

Auct. Item #

BID Amount



Item #: TOM04

Item Description: One sealed plastic bag with: - Qty: 1 - Other item(s) 4GB silver IPOD ser# Ym7215TFV8T.

Current Custody: Stored In Location - Auction Box

Property Room.com Barcode



6108-000093

Auct. Item #

BID Amount

Department Case #: 08-4313



Item #: JAP1

Item Description: The following item was collected: - Qty: 1 - Bicycle Roadmaster 26" bicycle MT sport M5X-blue/purple/white ser# SNFSD7FD7064.

Serial #: SNFSD7FD7064

Current Custody: Stored In Location - Impound Lot

Property Room.com Barcode



6108-000412

Auct. Item #

BID Amount

To: Benson, William
 From: Property Control Officer, Rodgers, Peter
 Date: 07/22/2010
 Re: Request for Auction of Property

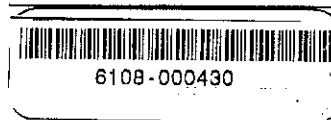
Department Case #: 08-4522



Item #: RS1

Item Description: The following item was collected: - Qty: 1 -
 Bicycle Mongoose freestyle bike 20" boys, ser# SNFSD07B2949J.
Serial #: SNFSD07B2949J
Current Custody: Stored In Location - Impound Lot

Property Room.com Barcode



Auct. Item # BID Amount

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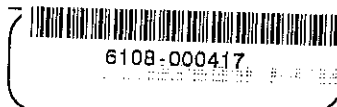
Department Case #: 08-5274



Item #: SPP-1

Item Description: The following item was collected: - Qty: 1 -
 Bicycle Blue NEXT mountain bike ser# DM040702840.
Serial #: DM040702840
Current Custody: Stored In Location - Impound Lot

Property Room.com Barcode



Auct. Item # BID Amount

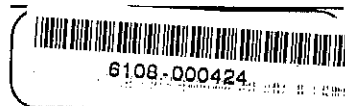
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Item #: SPP-2

Item Description: The following item was collected: - Qty: 1 -
 Bicycle Green Huffy mountain bike ser# 96655-9088623F83.
Serial #: 96655-9088623F83
Current Custody: Stored In Location - Impound Lot

Property Room.com Barcode



Auct. Item # BID Amount

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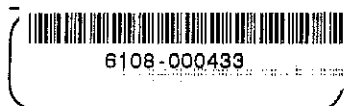
Department Case #: 08-5521



Item #: JEB1

Item Description: The following item was collected: - Qty: 1 -
 Bicycle purple Dynacraft model 857583D, ser# 98315458.
Current Custody: Stored In Location - Impound Lot

Property Room.com Barcode



Auct. Item # BID Amount

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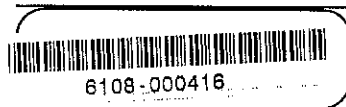
Department Case #: 08-5690



Item #: SPP-1

Item Description: The following item was collected: - Qty: 1 -
 Bicycle Silver/blue Mongoose mountain bike
Current Custody: Stored In Location - Impound Lot

Property Room.com Barcode



Auct. Item # BID Amount

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Department Case #: 09-1003

To: Benson, William
 From: Property Control Officer, Rodgers, Peter
 Date: 07/22/2010

Re: Request for Auction of Property

Department Case #: 09-1003



Item #: CMRI

Item Description: One sealed plastic bag with: - Qty: 1 - Found property Radio Schack AM/FM silver/black hand held radio cat# 12-467.

Current Custody: Stored In Location - Auction Box

Property Room.com Barcode



6108-000194

Auct. Item #

BID Amount

Department Case #: 09-1154



Item #: CMRI

Item Description: The following item was collected: - Qty: 1 - Bicycle Mongoose XR-75 21 speed bicycle ser# SNFSD06A82990. Serial #: SNFSD06A82990

Current Custody: Stored In Location - Impound Lot



6108-000432

Auct. Item #

BID Amount

Department Case #: 09-1176



Item #: AIK1

Item Description: The following item was collected: - Qty: 1 - Bicycle Summiteer all terrain green-blue Columbia adult bike ser# 90300946.

Current Custody: Stored In Location - Impound Lot

Property Room.com Barcode



6108-000429

Auct. Item #

BID Amount

Department Case #: 09-1202



Item #: ATT1

Item Description: The following item was collected: - Qty: 1 - Bicycle Mens Magna Hardtail mountain bike ser# 205055. Serial #: 205055

Current Custody: Stored In Location - Impound Lot

Property Room.com Barcode



6108-000431

Auct. Item #

BID Amount

Department Case #: 09-1277



Item #: DRB-1

Item Description: The following item was collected: - Qty: 1 - Bicycle purple womens 18 speed Roadmaster bicycle, ser#SNFSD08E08212 .

Serial #: SNFSD08E08212

Current Custody: Stored In Location - Impound Lot

Property Room.com Barcode



6108-000438

Auct. Item #

BID Amount

Department Case #: 09-1424



RCN #: 3290

To: Benson, William
From: Property Control Officer, Rodgers, Peter
Date: 07/22/2010

Re: Request for Auction of Property

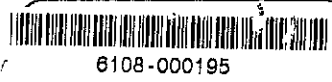
Department Case #: 09-1424

Item #: JRB1

Item Description: One sealed envelope with: - Qty: 1 - Personal property DVD movie "Ironman".

Current Custody: Stored In Location - Auction Box

Property Room.com Barcode



6108-000195

Auct. Item #

BID Amount

Department Case #: 09-1457

Item #: JET1

Item Description: The following item was collected: - Qty: 1 - Bicycle Green Giant MTX mountain bike ser# C98C6416.

Serial #: C98C6416

Current Custody: Stored In Location - Impound Lot

Property Room.com Barcode



6108-000168

Auct. Item #

BID Amount

Department Case #: 09-1619

Item #: CMR1

Item Description: The following item was collected: - Qty: 1 - Bicycle blue Roadmaster Mtn sport SX ser# HL0716367.

Serial #: HL0716367

Current Custody: Stored In Location - Impound Lot

Property Room.com Barcode



6108-000438

Auct. Item #

BID Amount

Department Case #: 09-1731

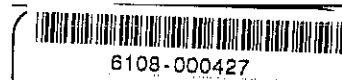
Item #: MEW1

Item Description: The following item was collected: - Qty: 1 - Bicycle Boys BMX next red bicycle model 8536-61J ser# 65293194.

Serial #: 65293194

Current Custody: Stored In Location - Impound Lot

Property Room.com Barcode



6108-000427

Auct. Item #

BID Amount

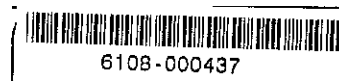
Department Case #: 09-1749

Item #: BJC1

Item Description: The following item was collected: - Qty: 1 - Bicycle Blue and silver Schwinn S-20 Mountain bicycle, ser# SIDC0AC87804.

Current Custody: Stored In Location - Impound Lot

Property Room.com Barcode



6108-000437

Auct. Item #

BID Amount

Department Case #: 09-1988

To: Benson, William
From: Property Control Officer, Rodgers, Peter
Date: 07/22/2010

Re: Request for Auction of Property

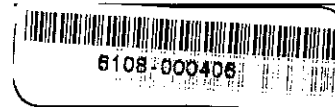
Department Case #: 09-1988



Item #: CMR1

Item Description: The following item was collected: - Qty: 1 -
Bicycle boys Huffy stone mountain !! bicycle ser# GB03B01739.
Serial #: GB03B01739
Current Custody: Stored In Location - Impound Lot

Property Room.com Barcode



Auct. Item #

BID Amount

Department Case #: 09-1992



Item #: CMR1

Item Description: The following item was collected: - Qty: 1 -
Bicycle Black Mongoose bicycle ser# painted over.
Current Custody: Stored In Location - Impound Lot

Property Room.com Barcode



Auct. Item #

BID Amount

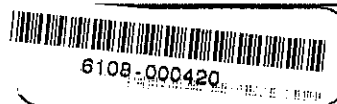
Department Case #: 09-2005



Item #: CRM1

Item Description: The following item was collected: - Qty: 1 -
Bicycle Blue & red Roadmaster MTN bike ser# FSDC5K7667.
Serial #: FSDC5K7667
Current Custody: Stored In Location - Impound Lot

Property Room.com Barcode



Auct. Item #

BID Amount

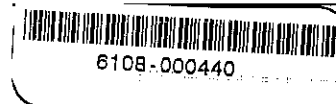
Department Case #: 09-2119



Item #: MPB1

Item Description: The following item was collected: - Qty: 1 -
Bicycle Yellow Haro BMX type boys bike ser# B1S350d669
Serial #: B1S350D669
Current Custody: Stored In Location - Impound Lot

Property Room.com Barcode



Auct. Item #

BID Amount

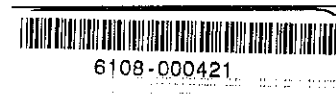
Department Case #: 09-2136



Item #: AJR1

Item Description: The following item was collected: - Qty: 1 -
Bicycle Girls pink 10 speed bike "Explorer" ser# 7701977592.
Current Custody: Stored In Location - Impound Lot

Property Room.com Barcode



Auct. Item #

BID Amount

Department Case #: 09-2271



RCN #: 3290

To: Benson, William

From: Property Control Officer, Rodgers, Peter

Date: 07/22/2010

Re: Request for Auction of Property

Department Case #: 09-2271

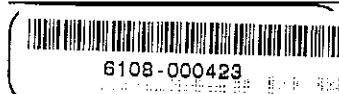
Item #: CMR1

Item Description: The following item was collected: - Qty: 1 -
Bicycle open road GTO blue bicycle ser# 231971.

Serial #: 231971

Current Custody: Stored In Location - Impound Lot

Property Room.com Barcode



Auct. Item #

BID Amount

Department Case #: 09-2394

Item #: CRM1

Item Description: The following item was collected: - Qty: 1 -
Bicycle Blue Schwinn MTN bike ser# ACE6F00642.

Serial #: ACE6F00642

Current Custody: Stored In Location - Impound Lot

Property Room.com Barcode



Auct. Item #

BID Amount

Department Case #: 09-2853

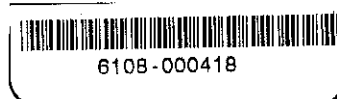
Item #: CMR1

Item Description: The following item was collected: - Qty: 1 -
Bicycle Huffy light blue 6 speed bicycle ser# 0B04C06068.

Serial #: 0B04C06068

Current Custody: Stored In Location - Impound Lot

Property Room.com Barcode



Auct. Item #

BID Amount

Department Case #: 09-3027

Item #: MPB1

Item Description: The following item was collected: - Qty: 1 -
Bicycle Pacific Sabetage orange in color, ser# FSD05JK4236.

Serial #: FSD05JK4236

Current Custody: Stored In Location - Impound Lot

Property Room.com Barcode



Auct. Item #

BID Amount



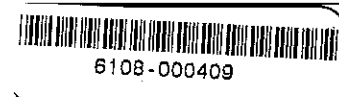
Item #: MPB2

Item Description: The following item was collected: - Qty: 1 -
Bicycle Murray black Mt. bike ser# S-0887X8-872595.

Serial #: S-0887X8-872595

Current Custody: Stored In Location - Impound Lot

Property Room.com Barcode



Auct. Item #

BID Amount



RCN #: 3290

To: Benson, William

From: Property Control Officer, Rodgers, Peter

Date: 07/22/2010

Re: Request for Auction of Property

Department Case #: 09-3027

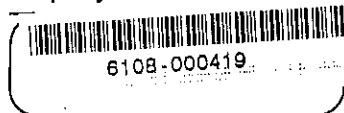
Item #: MPB3

Item Description: The following item was collected: - Qty: 1 -
Bicycle Magna great divide purple/silver bike ser# 641865.

Serial #: 641865

Current Custody: Stored In Location - Impound Lot

Property Room.com Barcode



Auct. Item #

BID Amount

Department Case #: 09-3179

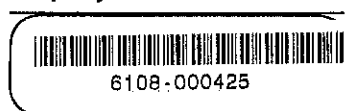
Item #: JJH1

Item Description: The following item was collected: - Qty: 1 -
Bicycle Mens 26" mtn bike-Red quest fire, ser# LWEG298890.

Serial #: LWEG298890

Current Custody: Stored In Location - Impound Lot

Property Room.com Barcode



Auct. Item #

BID Amount

Department Case #: 09-3237

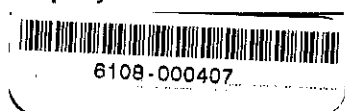
Item #: MPB1

Item Description: The following item was collected: - Qty: 1 -
Bicycle yellow Mongoose "Mischief" boys BMX bike ser#
SPP01023.

Serial #: SPP01023

Current Custody: Stored In Location - Impound Lot

Property Room.com Barcode



Auct. Item #

BID Amount

Department Case #: 09-3247

Item #: SPK1

Item Description: The following item was collected: - Qty: 1 -
Bicycle red "NEXT" bicycle ser# GLOB0500489.

Current Custody: Stored In Location - Impound Lot

Property Room.com Barcode



Auct. Item #

BID Amount



Item #: SPK2

Item Description: The following item was collected: - Qty: 1 -
Bicycle Red Schwinn sprint bicycle, no ser#.

Current Custody: Stored In Location - Impound Lot

Property Room.com Barcode



Auct. Item #

BID Amount

Department Case #: 09-3252

To: Benson, William
 From: Property Control Officer, Rodgers, Peter
 Date: 07/22/2010

Re: Request for Auction of Property

Department Case #: 09-3252



Item #: CMR1

Item Description: The following item was collected: - Qty: 1 -
 Bicycle Huffy Stone Mountain bike, blue, ser# S01C000381.

Serial #: S01C000381

Current Custody: Stored In Location - Impound Lot

Property Room.com Barcode



Auct. Item #

BID Amount

Department Case #: 09-3482



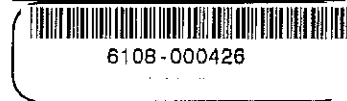
Item #: CMR1

Item Description: The following item was collected: - Qty: 1 -
 Bicycle Green Trek mountain track bicycle 820, ser# GX5L18171.

Serial #: GX5L18171

Current Custody: Stored In Location - Impound Lot

Property Room.com Barcode



Auct. Item #

BID Amount

Department Case #: 09-3691



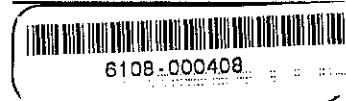
Item #: AJR1

Item Description: The following item was collected: - Qty: 1 -
 Bicycle girls 20" Murray Mt Climber 6 spd ser#
 8-9251X92-0620981.

Serial #: 8-9251X92-0620981

Current Custody: Stored In Location - Impound Lot

Property Room.com Barcode



Auct. Item #

BID Amount

Department Case #: 09-3893

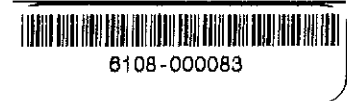


Item #: ATT1

Item Description: One sealed paper bag with: - Qty: 1 - Personal
 property Escort radar detector.

Current Custody: Stored In Location - Auction Box

Property Room.com Barcode



Auct. Item #

BID Amount

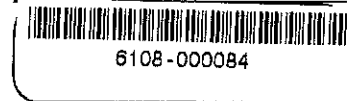


Item #: ATT2

Item Description: One sealed paper bag with: - Qty: 1 - Personal
 property Atari Lynx game system w/case.

Current Custody: Stored In Location - Auction Box

Property Room.com Barcode



Auct. Item #

BID Amount

Department Case #: 09-3914



To: Benson, William
From: Property Control Officer, Rodgers, Peter
Date: 07/22/2010
Re: Request for Auction of Property

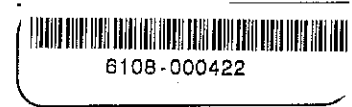
Department Case #: 09-3914



Item #: MPB1

Item Description: The following item was collected: - Qty: 1 -
Bicycle Boys Mongoose Rebel bike white/brown ser#
SNACB08002430.
Serial #: SNACB08002430
Current Custody: Stored In Location - Impound Lot

Property Room.com Barcode



6108-000422

Auct. Item #	BID Amount

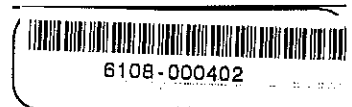
Department Case #: 09-3959



Item #: AJR1

Item Description: The following item was collected: - Qty: 1 -
Bicycle Girls white 26" Murray Hot Springs 18 speed bike ser#
MOK5401136.
Serial #: MOK5401136
Current Custody: Stored In Location - Impound Lot

Property Room.com Barcode



6108-000402

Auct. Item #	BID Amount

Department Case #: 09-4173



Item #: AJR1

Item Description: The following item was collected: - Qty: 1 -
Bicycle Red/black boys 20" Raleigh MXR bike ser#
ACF04C004226.
Serial #: ACF04C004226
Current Custody: Stored In Location - Impound Lot

Property Room.com Barcode



6108-000413

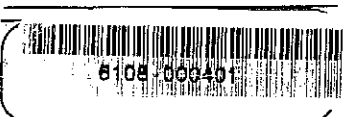
Auct. Item #	BID Amount



Item #: AJR2

Item Description: The following item was collected: - Qty: 1 -
Bicycle blue 24" Roadmaster MT storm 18spd bike ser#
HH0679758.
Serial #: HH0679768
Current Custody: Stored In Location - Impound Lot

Property Room.com Barcode



6108-000401

Auct. Item #	BID Amount

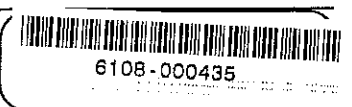
Department Case #: 09-4406



Item #: MPB-B-1

Item Description: The following item was collected: - Qty: 1 -
Bicycle Silver mT bike Roadmaster ser# SNFSD07CM8471.
Serial #: SNFSD07CM8471
Current Custody: Stored In Location - Impound Lot

Property Room.com Barcode



6108-000435

Auct. Item #	BID Amount

Department Case #: 09-4776

To: Benson, William
 From: Property Control Officer, Rodgers, Peter
 Date: 07/22/2010
 Re: Request for Auction of Property

Department Case #: 09-4776



Item #: AJR1

Item Description: The following item was collected: - Qty: 1 -
 Bicycle Boys 20' bike green Magna Decuy 900 model 8595-46Sk.
 Current Custody: Stored In Location - Impound Lot

Property Room.com Barcode



Auct. Item #

BID Amount

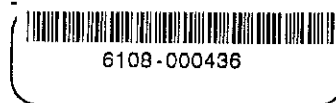
Department Case #: 09-4814



Item #: MKL1

Item Description: The following item was collected: - Qty: 1 -
 Bicycle Purple Trek Calypso bicycle.
 Current Custody: Stored In Location - Impound Lot

Property Room.com Barcode



Auct. Item #

BID Amount

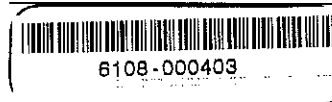
Department Case #: 09-4877



Item #: AJR1

Item Description: The following item was collected: - Qty: 1 -
 Bicycle Boys 24" gold/blue Huffy Max mountain bike, ser#
 OL99G09200.
 Serial #: OL99G09200
 Current Custody: Stored In Location - Impound Lot

Property Room.com Barcode



Auct. Item #

BID Amount

Department Case #: 09-533



Item #: AIK1

Item Description: One sealed plastic bag with: - Qty: 1 - Personal
 property Brown DKNY watch model NY3900.
 Current Custody: Stored In Location - Auction Box

Property Room.com Barcode



Auct. Item #

BID Amount

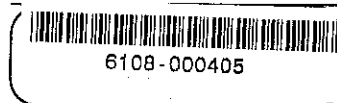
Department Case #: 09-5345



Item #: 1

Item Description: The following item was collected: - Qty: 1 -
 Bicycle boys 24" black Huffy Enduro bike.
 Current Custody: Stored In Location - Impound Lot

Property Room.com Barcode

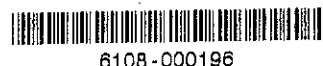


Auct. Item #

BID Amount

Department Case #: ~~09-612~~ 09-500

AIS-10 - 12 Pennies in Protective Cases





RCN #: 3290

To: Benson, William
From: Property Control Officer, Rodgers, Peter
Date: 07/22/2010

Re: Request for Auction of Property

Department Case #: 09-612



Item #: DRB-1

Item Description: The following item was collected: - Qty: 1 -
Bicycle red/white/blue Huffy BMX bicycle.
Current Custody: Stored In Location - Impound Lot

Property Room.com Barcode



6108-000428

Auct. Item #

BID Amount

Comments:

Requesting Officer:

Peter Rodgers
Please Print

Signature:

[Signature] 356

Date:

07-22-10

Approving Officer:

[Signature]
Please Print

Signature:

Date:

VILLAGE OF WHEELING

LEGISLATIVE COVER MEMORANDUM

AGENDA ITEM NO(S):#11.B.
(To be inserted by Deputy Clerk)

DATE OF BOARD MEETING: August 2, 2010

TITLE OF ITEM SUBMITTED: Ordinance Authorizing the Sale of Personal Property Owned by the Village of Wheeling

SUBMITTED BY: William Benson, Police Chief


DESCRIPTION OF ITEM¹: Ordinance permitting the sale of miscellaneous property in the possession of the Police Department.

BUDGET²: See attachments

BIDDING³: N/A

EXHIBIT(S) ATTACHED: Ordinance, Property Manifest

RECOMMENDATION: Approval

SUBMITTED FOR BOARD CONSIDERATION: VILLAGE MANAGER 

¹ The purpose of the proposed item and a description of same. If the issue is site specific, such as an annexation or road improvement, a map must be attached to the memorandum.

² If applicable, provide all budgetary considerations as follows: is the item covered in the current budget; fund(s) the item is to be charged to; expenses per fund(s) and total cost; and necessary transfer(s) or supplemental appropriation(s).

³ If applicable, describe the bidding process and results for purchases and contracts. If applicable, state whether or not any particular city, state or federal program was considered

ORDINANCE _____

**AN ORDINANCE AUTHORIZING THE SALE
OF PERSONAL PROPERTY OWNED BY THE VILLAGE OF WHEELING**

WHEREAS, in the opinion of at least three-fourths of the corporate authorities of the Village of Wheeling, it is no longer necessary or useful to or in the best interests of the village to retain ownership of the personal property hereinafter described; and

WHEREAS, it has been determined by the President and Board of Trustees of the Village of Wheeling that said property should be sold at auction; and

WHEREAS, the Village Clerk has advertised the sale of the aforementioned personal property in a newspaper published within the community;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF WHEELING, COUNTIES OF COOK AND LAKE, STATE OF ILLINOIS:

SECTION ONE: Pursuant to Section 5/11-76-4 of the Illinois Municipal Code, Illinois Compiled Statutes, Ch. 65, the Board finds that the following described personal property:

See Attachment B, dated July 22, 2010 now owned by said Village, is no longer necessary or useful to the Village, and the best interests of the Village would be best served by its sale.

SECTION TWO: Pursuant to said Section 5/11-76-4, the Village Manager is hereby authorized and directed to sell the aforementioned personal property now owned by the Village at auction to the highest bidder. Pursuant to said Section 5/11-76-4, the Village Manager is hereby authorized and directed to sell the aforementioned property using the services of an Internet on-line auction website. If said property does not sell at auction, the Village Manager or his designee is hereby authorized to dispose of the property in any way he finds appropriate.

SECTION THREE: Upon payment of the full auction price, the on-line Internet website is hereby authorized and directed to convey and transfer title to the aforesaid property to the successful bidder.

SECTION FOUR: This ordinance shall be in full force and effect from and after its passage, by a vote of at least three-fourths of the corporate authorities, and approval in the manner provided by law.

Trustee _____ moved, seconded by Trustee _____, that
Ordinance No. _____ be adopted.

President Abruscato _____

Trustee Argiris _____

Trustee Brady _____

Trustee Heer _____

Trustee Horcher _____

Trustee Lang _____

Trustee Vogel _____

PASSED this _____ day of _____, 2010, by the President and Board of
Trustees of the Village of Wheeling, Illinois.

Judy Abruscato
Village President

ATTEST:

Elaine E. Simpson
Village Clerk

APPROVED AS TO FORM:

Village Attorney

Property Manifest

Name or Department Wheeling Police Dept
 Pickup Address 1. Community Blvd
Wheeling, IL 60090

Date 07-22-10
 Pg. Number 1

PROPERTY BUREAU

Line #	Qty.	Description	Serial #	Your Reference Numbers	PB SKU (company use only)
1	1	Van/kang tire & chrome rim	None		0439-000418
2	1				0439-000296
3	1				0439-000296
4	1				0439-000297
5	1	Sumitomo tire & black rim			0439-000394
6	1				0439-000395
7	1				0439-000396
8	1	black Rim			0439-000298
9	1	1. sub woofer (clicker box)	unknown		0439-000397
10	1	box cont/ 1 Apollo Odyssey portable overhead projector	97A00281		0439-000409

Manifest Detail Verified:

☐ At Pick Up
☐ At Processing Center (PB Count Final; discrepancies will be reported promptly).

Received From:

Driver Acceptance:

☐ ID Check Required ☐ ID Checked

Handwritten signature and date 7-23-10

**VILLAGE OF WHEELING
LEGISLATIVE COVER MEMORANDUM**

AGENDA ITEM NO(S): #13.A
(To be inserted by Deputy Clerk)

DATE OF BOARD MEETING: Monday, August 2, 2010

TITLE OF ITEM SUBMITTED: An Ordinance Granting a Special Use to Allow Package Liquor Sales in a Proposed Convenience Store, 1081 Lake Cook Road (Docket No. 2010-19)

SUBMITTED BY: Mark Janeck *WJ*
Director of Community Development

BASIC DESCRIPTION OF ITEM¹: The petitioner is requesting a special use permit for package liquor sales at Convenient Food & Liquor at 1081 Lake Cook Road within Lexington Commons Plaza.

BUDGET²: N/A
BIDDING³: N/A

EXHIBIT(S) ATTACHED: Staff Report
Fire Department Memo, dated 7.21.2010
Findings of Fact and Recommendation Ordinance
Photo of existing conditions
Business Plan Proposal for Convenient Food & Liquor, received 7.15.2010
Unit floor plan, received 7.15.2010

RECOMMENDATION: None

SUBMITTED FOR BOARD CONSIDERATION: VILLAGE MANAGER 

¹ The purpose of the proposed item and a description of same. If the issue is site specific, such as an annexation or road improvement, a map must be attached to the memorandum.

² If applicable, provide all budgetary considerations as follows: is the item covered in the current budget; fund(s) the item is to be charged to; expenses per fund(s) and total cost; and necessary transfer(s) or supplemental appropriation(s).

³ If applicable, describe the bidding process and results for purchases and contracts. If applicable, state whether or not any particular city, state or federal program was considered

ORDINANCE NO. _____

**An Ordinance Granting a Special Use
To Allow Package Liquor Sales in a Proposed Convenience Store
1081 Lake Cook Road**

WHEREAS, the Plan Commission of the Village of Wheeling has held a public hearing, duly noticed on July 8, 2010 and continued to July 22, 2010, to consider the petitioner's request for a special use under Title 19, Zoning, of the Wheeling Municipal Code, Chapter 19-06 Commercial Districts, Section 19.06.030 B-2 Neighborhood Commercial District; and Chapter 19-10 Use Regulations, Section 19.10.030 Special Uses; in order to allow package liquor sales at 1081 Lake Cook Road, Wheeling, Illinois, in Lexington Commons Plaza hereinafter legally described below; and

WHEREAS, the Plan Commission of the Village of Wheeling has reported its Findings of Fact and Recommendation to the President and Board of Trustees, recommending that the petitioner's request be denied with a vote of 1 ayes, 3 nays, 2 absent, with 1 vacancy, subject to conditions; and

WHEREAS, the President and Board of Trustees deem it to be in the best interest of the Village to grant the petitioner's request, subject to conditions;

NOW THEREFORE BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF WHEELING, COUNTIES OF COOK AND LAKE, STATE OF ILLINOIS:

Section A

This Board of Trustees, after considering the Findings of Fact and Recommendation of the Plan Commission and other matters properly before it, hereby finds:

- That the special use is necessary for the public convenience at that location;
- That the special use as requested will not alter the essential character of the area in which it is to be located;
- That the location and size of the special use, the nature and intensity of the operation involved in or conducted in connection with it, the size of the site in relation to it, and the location of the site with respect to streets giving access to it, will be in harmony with and will not impede the normal, appropriate, and orderly development of the district in which it is located and the development of the surrounding properties;
- That the location, nature and height of buildings, walls and fences, and the nature and extent of the landscaping on the site shall be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings, or will not impair the value thereof;
- That the parking areas will be of adequate size for the particular use, properly located, and suitably screened from adjoining residential uses, entrance and exit drives shall be laid out as to prevent traffic hazards and nuisances; and

- That the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulation in that zone.

Section B

A special use is hereby granted under Title 19, Zoning, of the Wheeling Municipal Code, Chapter 19-06 Commercial Districts, Section 19.06.030 B-2 Neighborhood Commercial District; and Chapter 19-10 Use Regulations, Section 19.10.030 Special Uses; to allow package liquor sales at 1081 Lake Cook Road in Lexington Commons Plaza hereinafter legally described, in accordance with the following exhibits:

- Business Plan, received 7.15.2010
- Unit plan, received 7.15.2010

LEGAL DESCRIPTION:

LOT 2 IN LEXINGTON COMMONS PLAZA UNIT 1, A RESUBDIVISION OF LOTS 1 AND 4 IN LEXINGTON COMMONS PLAZA, BEING A RESUBDIVISION OF LOT 2 IN LEXINGTON COMMONS UNIT 2, BEING A SUBDIVISION OF PART OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

(The above described property is located at 1041-1083 Lake Cook Road, Wheeling, Illinois, zoned B-2, known as Lexington Commons Plaza. The special use is for the unit at 1081 Lake Cook Road.)

Section C

Special Use Approval granted in Section B of this ordinance is subject to the following conditions:

1. That the business plan is corrected so that the closing time on weekends is 12:00 a.m. rather than 12:00 p.m.; and
2. That cases of beverages shall not be stored in the windows.

Section D

This Ordinance shall be in full force and effect from and after its passage and approval, according to law.

Trustee _____ moved, seconded by Trustee _____,

that Ordinance No. _____ be passed.

Ordinance No. _____ PASSED this _____ day of _____, 2010.

President Abruscato _____ Trustee Heer _____

Trustee Argiris _____

Trustee Horcher _____

Trustee Brady _____

Trustee Lang _____

Trustee Vogel _____

Judy Abruscato
Village President

ATTEST:

Elaine E. Simpson, Village Clerk

APPROVED AS TO FORM ONLY:

Village Attorney

PUBLISHED in pamphlet form this _____ day of _____, 2010, by order of
the Corporate Authorities of the Village of Wheeling, Cook and Lake Counties, Illinois.

REQUEST FOR BOARD ACTION

TO: Jon Sfondilis
Village Manager

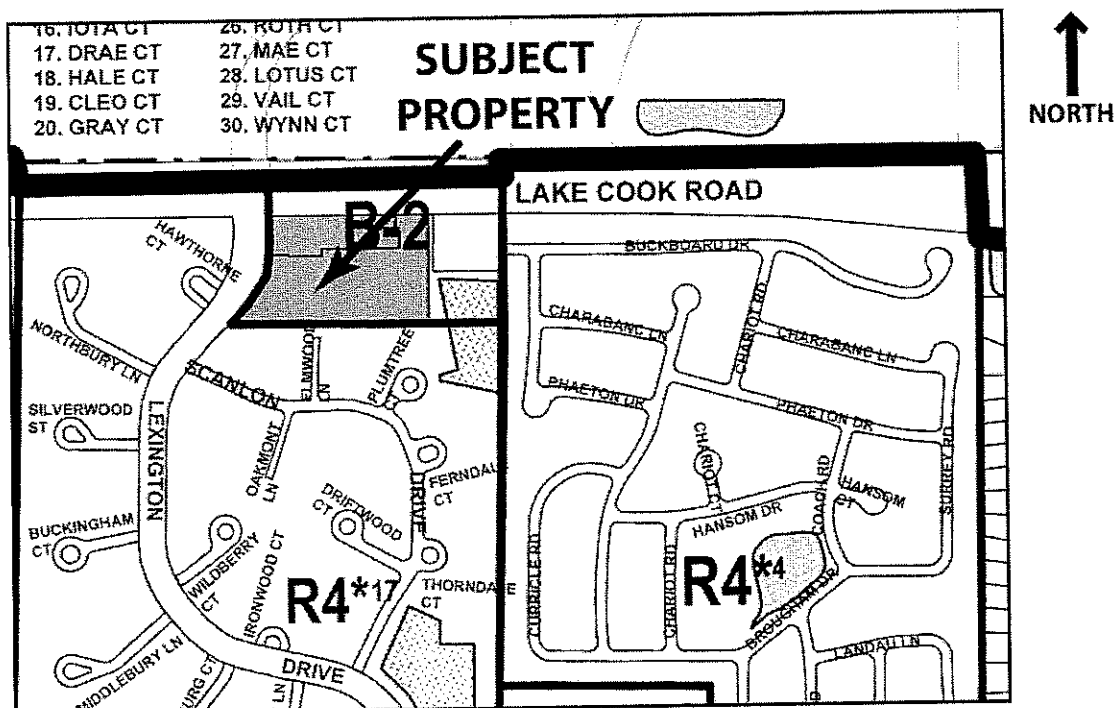
FROM: Mark Janeck
Director of Community Development

DATE: July 28, 2010

SUBJECT: Docket No. 2010-19
Convenient Food & Liquor (within Lexington Commons Plaza)
1081 Lake Cook Road
Special Use for Package Liquor Sales

PROJECT OVERVIEW: The petitioner is requesting a special use permit for package liquor sales at Convenient Food & Liquor at 1081 Lake Cook Road within Lexington Commons Plaza.

LOCATION MAP:



Request for Board Action

Page 2 of 7

RE: Plan Commission Docket No. 2010-19

PLAN COMMISSION RECOMMENDATION

At the Plan Commission hearing on Thursday, June 22, 2010, Commissioner Steilen moved, seconded by Commissioner Didier to recommend approval of Docket No. 2010-19 granting a Special Use under Title 19, Zoning, of the Wheeling Municipal Code, Chapter 19-05 Mixed Use and Overlay Districts and Chapter 19-10 Use Regulations, Section 19.10.030 Special Uses, in order to allow package liquor sales in the unit at 1081 Lake Cook Road in Lexington Commons Plaza, Wheeling, Illinois, in accordance with the following plans and exhibits:

- Business Plan Proposal for Convenient Food & Liquor, received July 15, 2010
- Unit floor plan, received July 15, 2010

With the following conditions:

1. That the business plan is corrected so that the closing time on weekends is 12:00 a.m. rather than 12:00 p.m.; and
2. That cases of beverages shall not be stored in the windows.

On the roll call, the vote was as follows:

AYES: Commissioner Ruffatto
NAYS: Commissioners Didier, Dorband, Johnson and Steilen
ABSENT: Commissioner Maloney
PRESENT: None
ABSTAIN: None

There being one affirmative vote, the motion failed.

Commissioner Dorband moved, seconded by Commissioner Johnson to close Docket No. 2010-19. The motion was approved by a voice vote.

GENERAL PROPERTY INFORMATION

<u>Proposed name of Development:</u>	Convenient Food & Liquor
<u>Applicant Name:</u>	Diptesh Desai
<u>Property Owner Name:</u>	Diptesh Desai, Convenient Food & Liquor (tenant) First American Properties (shopping center)
<u>Common Property Address:</u>	1081 Lake Cook Road
<u>Common Location:</u>	The property is located at the southeast corner of Lake Cook Road and Lexington Drive, in the Lexington Commons Plaza shopping center.
<u>Neighboring Property Land Use(s):</u>	North: Residential and light industrial West: Residential South: Residential East: Residential
<u>Comprehensive Plan Designation:</u>	Commercial

Request for Board Action

Page 3 of 7

RE: Plan Commission Docket No. 2010-19

<u>Unit size:</u>	Approx. 2200 sq ft
<u>Existing Use of Property:</u>	Vacant (formerly 7-Eleven and White Hen Pantry)
<u>Proposed Use of Property:</u>	Convenience store with package liquor sales
<u>Existing Property Zoning:</u>	B-2, Neighborhood Commercial

Previous Zoning Action on Property:

2008-26	Special Use – currency exchange – Ord. 4378
2008-19	Special Use denied – currency exchange – Ord. 4350
2006-28A	Amendment to Special Use – restaurant expansion – Ord. 4134
2006-28B	Amendment to Parking Variation - required parking – Ord. 4133
2005-24A	Special Use - restaurant with live entertainment (X.O. Restaurant) – Ord. 4009
2005-24B	Parking Variation - required parking for a sit-down restaurant – Ord. 4010
1998-32	Special use to operate a restaurant (Nick's Gyros) – Ord. 3350
618	Parking variation (Krueger Chiropractic) - Ord. 2229
631	Parking variation (outbuilding restaurant has since closed) – Ord. 2289

PROJECT PROPOSAL

The petitioner would like to open a food and liquor mart that will serve the surrounding community. The layout of the store will include: a grocery area; an alcoholic beverage area consisting of several shelves of beer, wine and package liquor; a 12-door cooler (six doors for beer/wine and six doors for soda and juice); and counter check-out area. The store will operate Monday thru Thursday, from 6:00am to 10:00pm, Friday and Saturday from 6am to 12am and on Sunday from 9am to 9pm. Please see attached for store details and layout plan.

Update regarding revised plans: The petitioner submitted a revised business plan and floor plan between the July 8th hearing and the July 22nd hearing (attached). The executive summary attempts to address several concerns raised by the Plan Commission on July 8th. The petitioner has made the following modifications: alcoholic beverages will occupy one-third of the floor area; a total of six coolers will be used for beer and wine; a surveillance system will monitor inside the store and the parking lot 24 hours a day; and a u-shaped area, specifically the interior aisles, will house alcoholic beverages.

Update regarding history of police activity and liquor licenses at subject shopping center: As requested at the July 8th hearing, Staff researched the history of police activity and liquor licenses at the shopping center. The Police Department provided reports for the last three years of calls and traffic stops at the shopping center. There was not a significant history of police activity at the location, particular with respect to the items that residents were concerned about at the July 8th hearing (loitering complaints and convenience store robberies). Staff was also able to locate records of the liquor license history at the shopping center. In the mid 1980s, there was a license issued for package liquor sales for a different unit at the shopping center. The license was revoked within a few years due to multiple violations involving sales to minors. Records regarding the petitioner's history with liquor sales were not requested or obtained.

SITE PLAN REVIEW

Scale of Site Plan: Unit Layout, not to scale.

Proposed General Site Layout: Copies of the unit layout plan have been submitted for review. The petitioner has provided a sketch of the general layout of the space to be occupied by Convenient Food & Liquor. The layout identifies the following areas: general merchandise, groceries, liquor, walk-in coolers, cashier counter, storage, office and washroom. It should be noted that the petitioner has offered to keep hard liquor behind the counter (see Business Plan and Findings of Fact and Recommendation). The Plan Commission took a poll on the inclusion of hard liquor in the shelving on the floor. The consensus of the commission was to allow hard liquor on the floor, partially because locating it behind the counter would open additional floor area to the display of alcoholic beverages.

Total Number of Parking Spaces: The subject unit has a history of being occupied by convenience stores (White Hen Pantry and 7-Eleven). With the addition of liquor sales for the subject unit, the number of required parking spaces would remain the same. Hence, a total of eleven (11) parking spaces would be required for the proposed Convenient Food & Liquor. Given that the 15% shopping center reduction has been applied to Lexington Commons Plaza, Convenient Food & Liquor would require 9.35 spaces. The overall parking required for the center will remain the same at 144 spaces. Lexington Commons provides 148 spaces, which is sufficient for all businesses that occupy the shopping center.

STANDARDS FOR SPECIAL USE

Following are standards for special use with the petitioner's responses in italics. (**Village Planner comments are in bold.**)

1. State why the Special Use is necessary for the public convenience at the proposed location. (*Explain how the proposed use will benefit residents, the neighborhood or the community-at-large.*)

"1081 Lexington Drive used to be a convenient store for more than 20 years, under different franchises. It has been recently closed and since then neighborhood residents have been experiencing hard times for buying daily used items. By starting a convenient mart with food and alcoholic beverages will help the surrounding neighborhood residents by saving them valuable time and money. This will be a great addition tot his town business community."

The subject unit has a history of being occupied by convenience stores (White Hen Pantry and 7-Eleven). This proposed convenience store would give people the chance to have access again to the various items carried by such stores.

Other larger stores such as Sam's Club and Wal-Mart are less than a mile away and sell package liquor. Previous uses of the retail space (White Hen Pantry and 7-Eleven) did not sell liquor. However, there appears to be a trend in convenience stores adding liquor sales as other stores (pharmacies and gas stations) increasingly sell convenience items. If granted the special use to sell package liquor, customers will have the option to purchase beer, wine and liquor.

Request for Board Action

Page 5 of 7

RE: Plan Commission Docket No. 2010-19

2. State how the Special Use will not alter the essential character of the area in which it is to be located. (Explain how the proposed special use is appropriate for the neighborhood or shopping center and how the overall character will not be affected by the special use.)

"The proposed special use permission will help the overall character of the shopping center as there is no easy convenient stop around. Being in a strip center with a wide variety of other businesses, it will help the shopping center by drawing more customers and passing traffic from the busy intersection. Wheeling and neighborhood residents will not have to drive to bordering cities for their daily convenient or alcoholic needs. We will carry a wide variety of wine and beer."

As mentioned above, Lexington Commons Plaza has had tenants in the past that have operated as convenience stores. Hence, the general merchandise offered by the proposed convenience store would not alter the essential character of the area and would be appropriate for the surrounding area. According to the floor plan (attached), liquor sales make up a sizable portion of the unit's floor area. The restaurant XO Sky also offers liquor to its patrons. The proposed convenient store would be the only retail operation within the shopping center that would offer liquor to customers.

Although the proposed Convenient Food & Liquor is on the same site as Kindercare, the Village Attorney has confirmed that because Kindercare is not classified as a school by the state, the proposed convenience store can hold a special use permit for package liquor sales in the subject location.

3. State how the location and size of the Special Use, the nature and intensity of the operation involved in or conducted with it, the size of the site in relation to it, and the location of the site with respect to streets giving access to it will be in harmony with and not impede the normal, appropriate and orderly development of the district in which it is to be located and the development of surrounding properties. (Explain how the proposed use will allow the surrounding area to develop appropriately. Is the use too large for the site? Will it be in a location on the lot that will cause conflicts with adjacent properties? Does the use create noise, odor, smoke, or light that will affect other properties?)

"The proposed use will not cause any conflicts with adjacent properties or surrounding neighborhoods. The nature of intensity of the business is appropriate for the size and will perfectly match the location site. It will serve a great service being at the corner of the strip center, as it has easy in and easy out access, being at the intersection. Also, our store will not produce any type of noise, odor, smoke, or light that will disturb any of the surrounding properties."

The proposed convenience store would be located in the ideal unit within the shopping center, as it would occupy an end unit near the intersection of Lake Cook Road and Lexington Drive.

4. State how the location, nature and height of buildings, walls and fences, and the nature and extent of the landscaping on the site shall be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings, or will not impair the value thereof. (Explain how the proposed use will not prevent development on adjacent properties. Will the proposed use have a negative impact on existing adjacent land uses?)

"The proposed special use application is using the existing vacant spot as is. There will not be any alteration or addition to the building. This special use permit will not create any negative impact on an existing adjacent land or businesses. The nature of this special use permit will not hinder or discourage the appropriate development and use of adjacent land and buildings, or will not impair the value thereof."

Please see response #3.

5. State how the parking areas will be of adequate size for the particular use, properly located and suitably screened from adjacent residential uses, entrance and exit drives shall be laid out so as to prevent traffic hazards and nuisances and the development will not cause traffic congestion. (*Is adequate parking provided? Is parking area visible from adjacent homes? Are the entrance and exit drives designed for safe access to the site? Will the special use generate so much traffic as to cause congestion? Will visitors to the special use access the site through residential streets?*)

"The past convenient stores at this particular shopping center have been serving the community for more than 20 years. It has an adequate parking area for available businesses with proposed special use business. There will not be any traffic congestions, entrance, exist or safety problems. The parking area is visible from the adjacent homes, and the special use permit will not attract more visitors through residential streets."

The shopping center will have sufficient parking to accommodate all uses.

6. State how the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulation in that zone. (Other than the special use listed in this application, the proposal must meet all other requirements of the Zoning Code. Note any other exceptions.)

"Being surrounded by other cities at the city limits, the subject property has few big competitions around. If the special use permit is allowed, it will help the business owner tremendously to stay in business by getting local community business."

The previous business vacated the subject unit specifically because of the relative tax difference between Cook County and Lake County. Prior to vacating the unit, the franchise briefly attempted to request a package liquor license but abandoned the effort due to time constraints.

STAFF REVIEW

Fire Department Review: The Fire Department did not have any comments regarding the floor plan.

Impact on Neighboring Uses: The proposed use does not appear to have a negative affect upon neighboring land uses. The property is within a shopping center.

Staff's Recommendation to the Plan Commission: Staff suggested that the Plan Commission review the attached floor plan along with the alcohol policy prior to making a recommendation.

CONDITIONS FROM PLAN COMMISSION RECOMMENDATION

The Plan Commission recommendation relating to the special use included two conditions of approval. The following conditions of approval suggested by the Plan Commission are included in the attached ordinance:

1. That the business plan is corrected so that the closing time on weekends is 12:00 a.m. rather than 12:00 p.m.; and

Unit floor plan, received 6.15.2010



MEMO – Fire Prevention Bureau

TO: Samantha N. Robinson, Associate Planner
FROM: Ronald S. Antor, Fire Inspector *RS*
CC: Mark Janeck, Director of Community Development
Andrew Jennings, Village Planner
Fire Prevention Bureau File – 1081 Lake Cook Road, Convenient Food & Liquor
DATE: July 21, 2010
SUBJECT: Request for Special Use for Package Liquor Sales – Plans received for review, July 19, 2010

The Wheeling Fire Department has reviewed the drawings received July 19, 2010 related to the above referenced project and has no comments based on the scope of work.

**FINDINGS OF FACT
AND RECOMMENDATION**

DRAFT

To: Village President and Board of Trustees

From: Wheeling Plan Commission/Sign Code Board of Appeals

Re: **Docket No. 2010-19**
Convenient Food & Liquor (within Lexington Commons Plaza)
1081 Lake Cook Road
Special Use for Package Liquor Sales

Chairman Maloney called Docket No. 2010-19 to order on Thursday, July 8, 2010, at 7:45 p.m. Present were Commissioners Didier, Dorband, Johnson, Maloney, Ruffatto and Steilen. Also present were Andrew Jennings, Village Planner and Samantha Robinson, Associate Planner.

Mr. Diptesh Desai, 1041 N. Cardinal Drive, Palatine, IL was present and sworn in.

Mr. Jennings announced there would be no vote on Docket No. 2010-19 at tonight's meeting since there was an error in the mailing of the letters to the neighbors. All of the addresses within the area were not on the list provided to the petitioner and therefore some property owners were not notified. The vote will take place at the July 22nd meeting. The people who had not been notified will be able to speak at the July 22nd meeting.

Mr. Desai reported he would like to open a convenience store at the location of the previous 7-Eleven and White Hen Pantry. He wants to add a liquor license to provide a convenience to the community. Liquor sales would account for no more than 10-15% of their sales. He has previously owned a convenience store for 5½ years without any violations.

Ms. Julie Stein, 1110 Scanlon Drive, was present and sworn in. Ms. Stein lives directly behind the subject property. She is on the Board of Directors at Lexington Commons and attends neighborhood watch meetings. She is happy about a convenience store moving into the shopping mall, however, she is against the selling of liquor. She is afraid of the increase in crime and undesirable activities. She mentioned there had been several robberies with the previous convenience stores. She felt loitering in the parking lot and surrounding areas could become a serious problem. She felt there would be an increase in trash and empty bottles on the grounds. She mentioned that young people currently use the lot to congregate and skateboard. She has recently seen teenagers climbing their fence. She is very concerned with the potential for increased noise at night.

Ms. Stein mentioned the close proximity to Currency Exchange and KinderCare. She stated there had been a previous liquor store in the mall that was shut down because of numerous incidences of selling liquor to minors. She stated there is currently a significant gang problem in the area around Lexington Commons.

Ms. Stein reported that Lexington Commons had to replace their fence due to people climbing over it to get to the 7-Eleven. She welcomes a convenience store but is opposed to the sale of liquor and is requesting that the permit be amended or denied.

From the audience, Ms. Sharon Nagelburg, 1112 Scanlon Drive, was present and sworn in. Ms. Nagelburg lives directly behind the subject property. She has lived in Lexington Commons for 30 years. She mentioned that none of the previous stores needed to sell liquor. She also mentioned

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the noise level was already high because of the skateboarding. She also expressed concern that teenagers will ask an adult to purchase liquor for them. She was in favor of a convenience store but not in favor of selling liquor.

From the audience, Mr. Mark Jordan, Landlord, First American Properties, was present and sworn in. Mr. Jordan has worked for First American Properties since 1989. Mr. Jordan asked the petitioner if he would be selling beer and wine only. Mr. Desai stated they would sell beer, wine and liquor. Mr. Jordan did not believe there had ever been a liquor store in the shopping center. He did not want to create a nuisance in the neighborhood. They have owned and operated the shopping center since it was built.

Mr. Jordan stated he had not received any complaints regarding skateboarding. He will contact the tenants regarding this issue.

Mr. Jordan questioned the volume of the liquor the petitioner was proposing. He was unsure about the selling of liquor. He will need to speak to the petitioner. Mr. Desai stated the liquor space would take up 50% of the unit. Mr. Desai reiterated that he has run his previous business with liquor without any issues. Mr. Desai mentioned the competition of Sam's Club. He confirmed there would be no liquor sales to minors.

Chairman Maloney closed the public portion of the hearing but reminded the audience that it will be reopened at the next meeting.

Commissioner Didier expressed concern regarding the 50% of floor space dedicated for liquor.

Commissioner Didier referred to the portable coolers. She questioned if they would use the portable coolers for the sale of liquor. Mr. Desai confirmed he would not.

Commissioner Didier referred to the proposed u-shaped layout. She noted there were some blind spots by the refrigerated coolers. Mr. Desai confirmed there would be two employees present at all times.

In reply to Commissioner Didier's question, Mr. Desai confirmed the store would close at midnight on the weekends and 10:00pm during the week.

Commissioner Didier expressed concern regarding window signage advertising the sale of liquor. She felt it would appear like a liquor store with all of the signage. Mr. Desai confirmed there would be some window signage but they would not be all liquor signs.

Commissioner Didier mentioned she would request conditions regarding the portable coolers and signage.

In reply to Commissioner Ruffatto's question, Mr. Desai confirmed his previous store was located in Marengo. He stated it was 70% liquor and 30% other goods. Commissioner Ruffatto expressed concern there was no way to regulate that the store wouldn't turn into a liquor store. He referred to a previous petitioner who received approval for a convenience store but it turned into a liquor store. Commissioner Ruffatto was unsure if there could be enough conditions added to keep the liquor sales at a certain percentage. Mr. Jennings explained that the Village does have the ability to enforce both through the liquor license and through the special use. He referenced a previous complaint regarding an expansion of liquor display that had been resolved.

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Commissioner Ruffatto questioned if the residents had a way to contact the property management company regarding complaints. Mr. Jordan distributed his business card to the neighbors present. Commissioner Ruffatto suggested that complaints be submitted to the Lexington Commons board of directors who could then contact Mr. Jordan.

Commissioner Dorband thanked Mr. Jordan for keeping the shopping center clean.

Commissioner Dorband had no personal objections to the petitioner. She felt a convenience store was a terrific idea but was against the 50% of floor space for liquor sales. She never believes having a liquor store in a residential area is a good idea and will remain consistent. She did not understand why the KinderCare was not considered a school by the State of Illinois and would allow the proposed convenience store to hold a special use permit for package liquor sales on the subject location. Commissioner Dorband understands the neighbors' concerns regarding vandalism. She did not believe the amount of floor space could be policed. Commissioner Dorband is totally against selling liquor in that store since there were a lot of children. She felt the store would do well without the liquor since the previous tenant did well.

Mr. Desai disagreed since 7-Eleven had closed the store because it was not doing well because of all the competition surrounding them.

Mr. Desai referred to Commissioner Dorband's concern regarding having liquor near children. He mentioned there was a restaurant (XO) in the shopping center that served liquor. Mr. Desai referred to a similar store at a location in Palatine that was near a daycare. Commissioner Dorband noted that XO was opened in the evening. She would not want to live near a store that sold liquor. Mr. Desai did not believe his business would bring criminals into the neighborhood.

Commissioner Dorband referred to the petitioner's comment regarding a similar location in Palatine and she did not want to be compared to someone else.

Commissioner Johnson felt it was an excessive amount of space dedicated to the sales of liquor. Mr. Desai was in agreement to reduce the percentage to 35 or 40% if required.

In reply to Commissioner Johnson's question, Mr. Desai confirmed he would sell pre-packaged sandwiches.

In reply to Commissioner Johnson's question, Mr. Desai confirmed he may sell smaller-sized liquor behind the counter if permitted within the Village. Mr. Jennings did not believe there was a specific regulation regarding it.

Commissioner Steilen was bothered that the proposal was for a special use to sell package liquor.

Commissioner Steilen referred to the recently approved package liquor store where the petitioner had sworn he would only sell beer and wine. The petitioner had discovered that the liquor license allowed him to sell all types of liquor and he has proceeded to do it. Commissioner Steilen is disappointed that the Village doesn't have appropriate liquor licenses that can restrict by the type of beverages.

Commissioner Steilen expressed concern with the proposed 50/50 space. He did not believe the dollar sales amount for liquor would only be 15-20% with 50% of the floor space being dedicated to liquor display.

Commissioner Steilen expressed concern that the petitioner had told Commissioner Didier that he would not sell liquor in the portable coolers even though it was stated in the business plan attached to the Staff Report that the petitioner may use them for alcohol beverages.

Commissioner Steilen did not believe it was appropriate for the area.

Chairman Maloney stated that he would not be present at the July 22nd meeting. He requested that the following conditions be added if the petition were approved:

1. No individual cold bottles/cans be sold;
2. No cases in the windows; and
3. Reduce the alcohol space from 50% to 20-30% and specify those areas.

Chairman Maloney stated that if he were present at the meeting, he would probably vote against it.

Commissioner Dorband moved, seconded by Commissioner Ruffatto to continue Docket No. 2010-19 to July 22, 2010. The motion was approved by a voice vote.

PUBLIC HEARING – JULY 22, 2010

Chairman Maloney called Docket No. 2010-19 to order on Thursday, July 22 at 7:10 p.m. Present were Commissioners Dorband, Johnson, Ruffatto and Steilen. Chairman Maloney was absent with prior notice. Commissioner Didier arrived at 6:55p and was present for the discussion. Also present was Andrew Jennings, Village Planner.

Mr. Diptesh Desai, 1041 N. Cardinal Drive, Palatine, IL was present and previously sworn in.

Mr. Jennings reported the item had been opened two weeks ago. There had been an error on the list of properties for public notice that had been provided to the petitioner. The petitioner received a corrected list and sent the remaining notices out. Following the previous discussion, the petitioner submitted a revised proposal that includes a revised floor plan and revised business plan.

Per the Plan Commission's request at the last meeting, Mr. Jennings reported Staff had looked into the liquor license history and Police report history for the area. He confirmed there had been a liquor license issued for this shopping center previously but was revoked. It had been approved in the 1980s and revoked within a few years. Mr. Jennings reported there had not been a significant number of Police calls to the shopping center within the last three years.

Mr. Desai reported he was planning to open a convenience store business at 1081 Lexington Commons with the addition of alcohol beverages.

Mr. Desai referred to the Police reports and stated that he had also reviewed the history. He mentioned there were only 3 alcohol related offenses in the shopping center in a ten year period from 2000-2010. He also mentioned there were 10 alcohol related offenses at Lexington Commons during the same ten year period.

Mr. Desai mentioned this location had a convenience store for more than 20 years and provided a convenience for the local residents without having to cross the village limits.

Mr. Desai reiterated that he was not opening a full scale liquor store. The revised plan includes one-third of the floor space for liquor sales and only two windows for alcohol related signage display. He confirmed the portable coolers would not be used for alcohol.

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Mr. Desai will monitor the entire store and parking lot with a 24-hour digital video camera for security purposes.

Mr. Desai referred to the comments made at the last meeting where the residents felt the sale of liquor would turn the shopping center into a crime area. Mr. Desai strongly disagreed.

Mr. Desai referred to the comments made at the last meeting regarding the skateboarders. He did not believe skateboarders should be considered criminals and were only kids from the surrounding neighborhoods.

Mr. Desai requested that the Plan Commission keep an open mind and look at all the positive things he will bring to the surround area.

From the audience, Julie Stein, 1110 Scanlon Drive was present and previously sworn in. Ms. Stein referred to the reduction of floor space for alcohol sales to one-third. She does not believe it was a significant reduction. She agrees there hadn't been a significant amount of crime in the area and wants to keep it that way. She does not believe the sale of alcohol in the area was necessary for the area. She wants a convenience store but not with liquor. She also believes the sale of liquor would increase crime/gang activity.

From the audience, Roxy Moss, 1132 Hawthorn Court was present and sworn in. Ms. Moss agreed with Ms. Stein's comments. She mentioned there had been a lot of loitering at the shopping center but she hadn't called the Police. She referred to the existing XO nightclub whose customers smoke outside and loiter. Ms. Stein believes those customers would purchase liquor and drink outside. Ms. Stein was not in favor of the sale of liquor. She is in favor of a convenience store. She wants an upscale type of convenience store that would be appealing.

Chairman Pro-tem Ruffatto closed the public portion of the hearing.

Commissioner Didier understands that the petitioner feels he needs to sell liquor in order to make his business viable. Commissioner Didier likes the concept of White Hen Pantries since the stores were clean and sold fresh deli sandwiches. She does not believe the previous store went out of business because they didn't sell liquor but because the prices were high and the store was not kept clean. She felt the strip mall would do very well with a deli-type convenience store and didn't need liquor. She did not believe a liquor store brought in more crime, but she felt it would change the atmosphere.

Mr. Desai reiterated that he wasn't opening a full liquor store but was using only 1/3 of the floor space for the sale of liquor. Children would not be permitted in the liquor aisle.

Commissioner Didier noted the proposed business was located down the street from a major big box retailer that sells liquor. She felt they would have a very hard time competing with them. She felt the likely customer would be someone who needed a quick purchase of liquor. Commissioner Didier felt that children should not be around people who need an immediate liquor purchase.

Mr. Desai explained he was trying to add a convenience for the area residents. He reiterated he would have only 1/3 of the space dedicated for the sale of liquor.

In reply to Commissioner Johnson's question, Mr. Jennings confirmed there could be control of the 1/3 floor space through the special use.

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In reply to Commissioner Johnson's question, Mr. Desai confirmed he would sell beer, wine and hard liquor. He agreed to store the hard liquor behind the counter if required.

Commissioner Johnson mentioned the residents don't want a liquor store but want a convenience store. Mr. Desai referred to the existing restaurant that already serves alcohol so he doesn't understand the difference since he wants to sell packaged liquor to consume at home. He did not believe people would purchase the liquor and then drink it in front of the store. Commissioner Johnson mentioned that he had seen customers purchase liquor at another convenience store and then drink it while driving. Mr. Desai reiterated that he would not serve any single serve ready-to-drink alcohol items. Mr. Desai confirmed he had no record for the sale of liquor to minors.

Commissioner Dorband requested a description of what the petitioner would be selling. Mr. Desai stated he would sell beer, wine, hard liquor and pre-mixed bottles. He confirmed he would not sell the small bottles of hard liquor or individual bottles of beer.

Commissioner Steilen questioned if the floor space could be limited to the floor plan the petitioner described. Mr. Jennings confirmed it could be limited.

Commissioner Steilen questioned if the alcohol signage could be limited to display only in two of the windows. Mr. Jennings confirmed it could be limited through the special use.

Commissioner Steilen questioned if the walk-in cooler could be limited for beer and wine to six doors. Mr. Jennings confirmed it could be limited through the special use.

In reply to Commissioner Steilen's question, the petitioner confirmed the sale of liquor would be confined to the one aisle, six doors of coolers and possibly behind the counter.

Commissioner Steilen questioned how the size of the liquor bottle or size of the beer pack could be enforced. Mr. Jennings agreed to check with the Village Attorney. He explained that they had been previously told by the Village Attorney that conditions can be added to a special use that the Commission and Board feel are necessary to mitigate the potential negative impacts.

Commissioner Steilen referred to a previous liquor license that was intended for beer and wine only but the Village Attorney had determined the business could sell any liquor. Mr. Jennings mentioned that the Village had recently introduced a beer and wine only license and was not sure which business Commissioner Steilen was referring to.

Mr. Jennings noted there was a typo on the hours. The 12:00 p.m. closing time should have been written as 12:00 a.m.

Mr. Jennings questioned if the Commission wanted to keep the hard liquor behind the counter or displayed on the shelves.

In reply to Commissioner Ruffatto's question, Mr. Desai confirmed that a product like Mike's Hard Lemonade was included in the beer category and would be stored on the shelves or cooler.

In reply to Commissioner Ruffatto's question, Mr. Desai confirmed he would not sell any pint sized liquor bottles.

Commissioner Ruffatto admired that the petitioner had agreed to reduce the floor space for liquor to

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a third and agreed to include security monitoring inside and outside.

Commissioner Ruffatto suggested that the neighbors call the Police if they see something that is wrong in order to keep the neighborhood safe.

Chairman pro-tem Ruffatto took a poll regarding displaying the liquor behind the counter.

Commissioner Didier:	Not in favor since it would make the 1/3 floor area harder to control by opening more space on the shelves to sell beer and wine.
Commissioner Steilen:	In favor of a beer and wine license only.
Commissioner Dorband	In favor of displaying the liquor behind the counter.
Commissioner Johnson:	OK on the floor
Commissioner Ruffatto:	In favor of displaying the liquor behind the counter.

Commissioner Steilen changed his vote to be in favor of displaying the liquor behind the counter.

The vote was 3-2 in favor of displaying the liquor on the shelves.

Chairman Pro-tem Ruffatto questioned if the Commission could add a condition for a beer and wine license only. Mr. Jennings explained the Liquor Control Commission reviews the license application. He felt that such a restriction was a Liquor Control Commission decision. Mr. Desai confirmed he had applied for a full liquor license.

Commissioner Didier questioned what the Commission trying to accomplish. She did not believe there was a difference between liquor, beer and wine. She felt the point was moot. Chairman pro-tem Ruffatto agreed with Commissioner Didier. The Commission was in favor of taking a vote.

Commissioner Steilen moved, seconded by Commissioner Didier to recommend approval of Docket No. 2010-19 granting a Special Use under Title 19, Zoning, of the Wheeling Municipal Code, Chapter 19-05 Mixed Use and Overlay Districts and Chapter 19-10 Use Regulations, Section 19.10.030 Special Uses, in order to allow package liquor sales in the unit at 1081 Lake Cook Road in Lexington Commons Plaza, Wheeling, Illinois, in accordance with the following plans and exhibits:

- Business Plan Proposal for Convenient Food & Liquor, received July 15, 2010
- Unit floor plan, received July 15, 2010

With the following conditions:

1. That the business plan is corrected so that the closing time on weekends is 12:00 a.m. rather than 12:00 p.m.; and
2. That cases of beverages shall not be stored in the windows.

On the roll call, the vote was as follows:

AYES:	Commissioner Ruffatto
NAYS:	Commissioners Didier, Dorband, Johnson and Steilen
ABSENT:	Commissioner Maloney
PRESENT:	None
ABSTAIN:	None

There being one affirmative vote, the motion failed.

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Commissioner Dorband moved, seconded by Commissioner Johnson to close Docket No. 2010-19.
The motion was approved by a voice vote.

Respectfully submitted,

Jim Ruffatto, Chairman, Pro-tem
Wheeling Plan Commission/
Sign Code Board of Appeals

**EMAILED TO THE PC 7.29.2010
FOR APPROVAL ON 8.12.2010**

VILLAGE OF WHEELING

LEGISLATIVE COVER MEMORANDUM

AGENDA ITEM NO(S): #13.B

(To be inserted by Deputy Clerk)

DATE OF BOARD MEETING: August 2, 2010

TITLE OF ITEM SUBMITTED: Resolution for Improvement by Municipality under the Illinois Highway Code for Section 10-00073-00-SW.

SUBMITTED BY: Anthony J. Stavros, Director of Public Works 

BASIC DESCRIPTION OF ITEM¹: Appropriates the MOTOR FUEL TAX (MFT) Funds for financing of the 2010 Sidewalk Removal and Replacement Program.

BUDGET²: The Fiscal 2010 Budget includes \$140,000 MFT funding (\$125,000 for construction, and \$15,000 for material testing services and other miscellaneous items) for the 2010 Sidewalk Removal and Replacement Program. The approval of this resolution does not authorize any expenditure of funds at this time and only appropriates the MFT Funds for financing of the planned 2010 Sidewalk Removal and Replacement.

BIDDING³: Bidding for the 2010 Sidewalk Removal and Replacement Program is scheduled for September 2010.

EXHIBIT(S) ATTACHED: Memo, Resolution, List of Streets and Location Map.

RECOMMENDATION: Approval

SUBMITTED FOR BOARD CONSIDERATION: VILLAGE MANAGER 

¹ The purpose of the proposed item and a description of same. If the issue is site specific, such as an annexation or road improvement, a map must be attached to the memorandum.

² If applicable, provide all budgetary considerations as follows: is the item covered in the current budget; fund(s) the item is to be charged to; expenses per fund(s) and total cost; and necessary transfer(s) or supplemental appropriation(s).

³ If applicable, describe the bidding process and results for purchases and contracts. If applicable, state whether or not any particular city, state or federal program was considered



MEMORANDUM

TO: Jon A. Sfondilis, Village Manager
FROM: Anthony J. Stavros, Director of Public Works *AS*
DATE: July 28, 2010
SUBJECT: 2010 Sidewalk Removal and Replacement Program
MFT Appropriate/Section 10-00073-00-SW

EXECUTIVE SUMMARY

The Illinois Department of Transportation's "Resolution for Improvement by Municipality Under the Illinois Highway Code" requires Village approval to appropriate the use of the Village's Motor Fuel Tax (MFT) funds. The approval of this Resolution appropriates MFT Funds to finance the 2010 Sidewalk Removal and Replacement Program.

Until this year, the Village had funded the sidewalk removal and replacement program from the Village's Capital Projects Fund. Due to the current economic conditions, the Board approved the 2010-2014 Capital Improvement Plan with the 2010 Sidewalk Removal and Replacement Program to be funded from the MFT Fund.

The approval of this Resolution appropriates MFT Funds to finance the 2010 Sidewalk Removal and Replacement Program. The Resolution does not authorize any expenditure of funds at this time. The accompanying "Resolution for Improvement by Municipality Under the Illinois Highway Code", BLR Form 09111 is required by the Illinois Department of Transportation to authorize the expenditure of MFT Funds to finance the 2010 Sidewalk Removal and Replacement Program.

Staff recommends approval of the attached resolution and requests, with your concurrence that it be forwarded to the Village Board for their consideration.

SECTION 10-00073-00-SW
RESOLUTION NO. 10- _____



**Illinois Department
of Transportation**

**Resolution for Improvement by
Municipality Under the Illinois
Highway Code**

BE IT RESOLVED, by the _____ President and Board of Trustees _____ of the
_____ Council or President and Board of Trustees _____
Village _____ of _____ Wheeling _____ Illinois
City, Town or Village

that the following described street(s) be improved under the Illinois Highway Code:

Name of Thoroughfare	Route	From	To
See attached List of Streets and Location Map			

BE IT FURTHER RESOLVED,

1. That the proposed improvement shall consist of Construction and material testing services for sidewalk removal
replacement.

_____ and shall be constructed Varies wide
and be designated as Section 10-00073-00-SW

2. That there is hereby appropriated the (additional ☐ Yes ☐ No) sum of One hundred and forty thousand
Dollars (\$140,000.00) for the
improvement of said section from the municipality's allotment of Motor Fuel Tax funds.

3. That work shall be done by _____ Contract _____ ; and,
Specify Contract or Day Labor

BE IT FURTHER RESOLVED, that the Clerk is hereby directed to transmit two certified copies of this resolution to the
district office of the Department of Transportation.

Approved

Date

Department of Transportation

Regional Engineer

I, Elaine E. Simpson Clerk in and for the
Village _____ of _____ Wheeling _____
City, Town or Village
County of _____ Cook _____, hereby certify the

foregoing to be a true, perfect and complete copy of a resolution adopted
by the _____ President and Board of Trustees _____
Council or President and Board of Trustees
at a meeting on August 2, 2010
Date

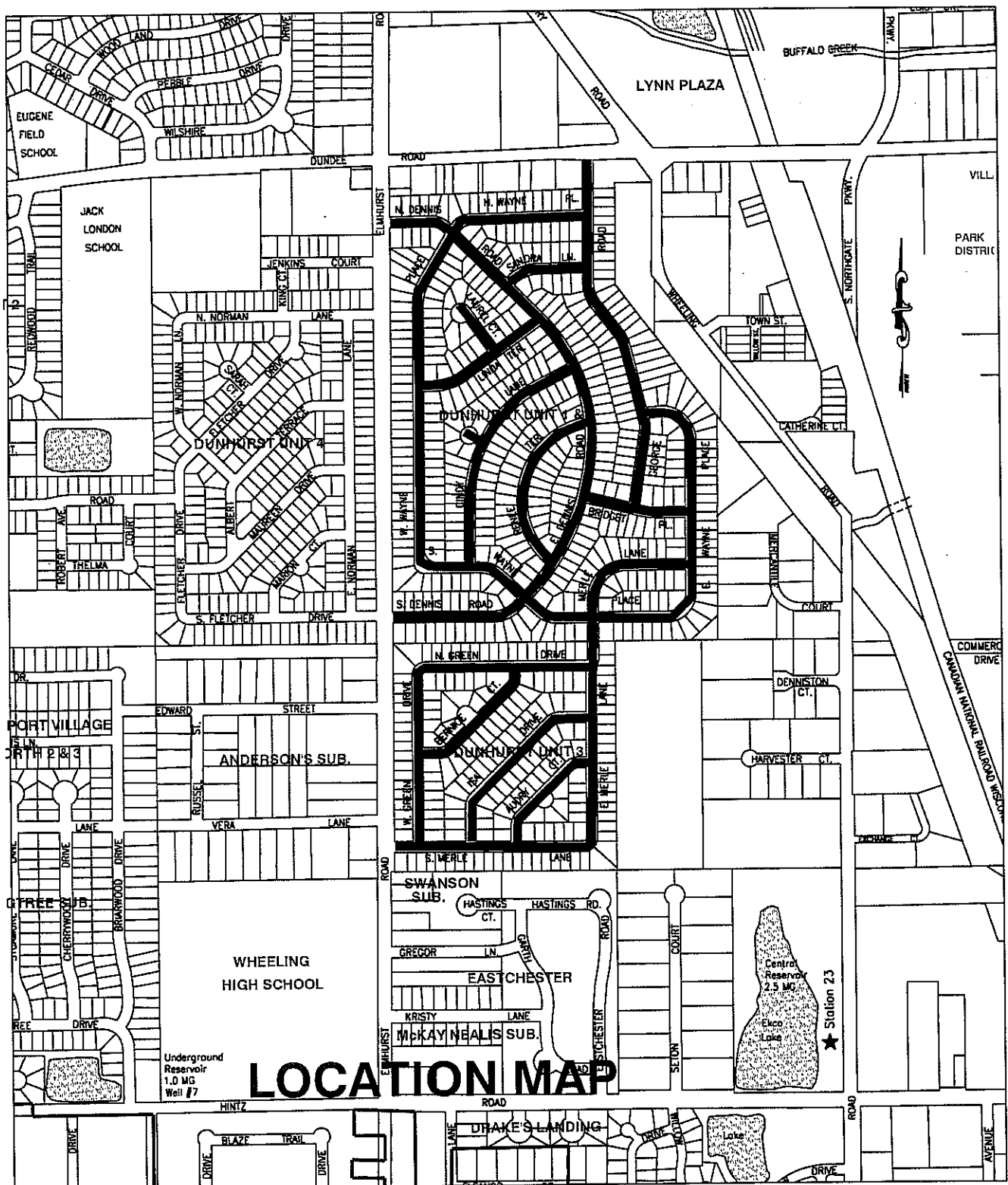
IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this
_____ day of _____

(SEAL)

Elaine E. Simpson, Village Clerk

LIST OF STREETS

Audrey Court
Bernice Court
Bridget Place
Cindy Lane
Isa Drive
Laurel Court
Linda Terrace
Merle Lane
Renee Terrace
Sandra Lane
East Dennis Road
East Merle Lane
East Wayne Place
North Dennis Road
North Green Drive
North Wayne Place
South Dennis Road
South Merle Lane
South Wayne Place
West Green Drive
West Wayne Place



**VILLAGE OF WHEELING
LEGISLATIVE COVER MEMORANDUM**

AGENDA ITEM NO(S): #13.C
(To be inserted by Deputy Clerk)

DATE OF BOARD MEETING:

August 2, 2010

TITLE OF ITEM SUBMITTED:

Resolution Authorizing a Change Order for Construction of Fire Station
24/Headquarters for a Deduction of \$11,407.00 from the Project
Contingency Fund.

SUBMITTED BY:

Keith MacIsaac, Fire Chief

BASIC DESCRIPTION OF ITEM¹:

Authorizing a project change order due to several modifications of
electrical outlets and data ports, as well as several IT modifications in order
to meet the final needs of the Fire Department. This change order is a
consolidation of several various electrical/data related items.

BUDGET²:

N/A

BIDDING³:

N/A

EXHIBIT(S) ATTACHED:

1. Memo – Fire Chief Keith MacIsaac (July 28, 2010)
2. Resolution
3. Williams Design Build Change Order No. 00019
4. Change Order Log

RECOMMENDATION:

Approval

SUBMITTED FOR BOARD CONSIDERATION: Village Manager 

¹ The purpose of the proposed item and a description of same. If the issue is site specific, such as an annexation or road improvement, a map must be attached to the memorandum.

² If applicable, provide all budgetary considerations as follows: is the item covered in the current budget; fund(s) the item is to be charged to; expenses per fund(s) and total cost; and necessary transfer(s) or supplemental appropriation(s).

³ If applicable, describe the bidding process and results for purchases and contracts. If applicable, state whether or not any particular city, state or federal program was considered.

RESOLUTION NO. _____

**RESOLUTION AUTHORIZING A CHANGE ORDER FOR CONSTRUCTION OF
FIRE STATION 24/HEADQUARTERS FOR A DEDUCTION OF \$11,407.00 FROM
THE PROJECT CONTINGENCY FUND**

WHEREAS, several modifications to the electrical system and data port system were necessary in order to meet the final needs of the Fire Department at new Fire Station 24/Headquarters;and

WHEREAS, these modifications included but are not limited to; several additional electrical outlets, relocation of some electrical outlets to accommodate the final furniture layout/installation, modifications of electrical outlets within the training room in order to maximize its functionality as an emergency operations center (EOC), and modification of the building IT equipment from a 24 port patch panel to a 48 port patch panel to meet specific Village network requirements; and

WHEREAS, said change order has been deemed to be in the best interest of the Village of Wheeling.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF WHEELING, COUNTIES OF COOK AND LAKE, STATE OF ILLINOIS that said change order in the amount of \$11,407.00 is hereby authorized. Furthermore, the Fire Chief is hereby authorized to sign off on said change order and to authorize payment from the project contingency fund.

Trustee _____ moved, seconded by Trustee _____
that Resolution No. _____ be adopted.

President J. Abruscato _____

Trustee P. Horcher _____

Trustee D. Argiris _____

Trustee R. Lang _____

Trustee K. Brady _____

Trustee D. Vogel _____

Trustee R. Heer _____

ADOPTED this _____ day of _____ 2010 by the Village President and Board of Trustees of the Village of Wheeling, Illinois.

Judy Abruscato, Village President

ATTEST:

Elaine E. Simpson, Village Clerk



MEMO

To: Jon Sfondilis, Village Manager
Michael Crotty, Assistant Village Manager
Michael Mondschain, Finance Director

From: Keith S. MacIsaac, Fire Chief KSM

CC: Paul Lisowski, Deputy Fire Chief
Thomas Whittaker, Administrative Aide/Training Officer
File - Station 24

Date: July 28, 2010

Re: Change Order – Electrical and Data Modifications; Deduction of \$11,407.00 from Project Contingency

EXECUTIVE SUMMARY

Modifications to the electrical and data port systems were necessary; in order to meet the final needs of the Fire Department at new Fire Station 24/Headquarters. The resulting change order of \$11,407.00 will be charged against the project contingency fund leaving a current positive balance within this fund of \$167,157.61.

The attached change order is a result of several modifications of the building's electrical and data port systems which were necessary to address the needs of the Fire Department. These modifications included but are not limited to; several additional electrical outlets, relocation of some electrical outlets to accommodate the final furniture layout/installation, modifications of electrical outlets within the training room in order to maximize its functionality as an emergency operations center (EOC), and modification of the building IT equipment from a 24 port patch panel to a 48 port patch panel to meet specific Village network requirements.

Since this total change order exceeds \$10,000.00; my level of project authorization for payment, it will require authorization from the Village Board. An itemized list of all change orders to date is included on the attached change order log. The current positive balance remaining in the contingency fund after this specific change order will be \$167,157.61. Therefore, there are more than sufficient funds to pay for this change order.

On the attached change order, you will notice several deductions noted. I have challenged some of the expenses being charged by Shoreline Electric and they have conceded to reducing their charges to \$10,370.00; down from \$12,419.00 (a savings of \$2,049.00 in the Village's favor). In addition, there is a slight math error by Williams Design Build/Shoreline Electric in which the actual final cost should have been \$220.00 higher. I have discussed this with both parties and they have agreed to absorb this math error (a savings of an additional \$220.00 in the Village's favor).

I am requesting authorization from the Village Board to sign-off on this change order and to authorize the related payment in the amount of \$11,407.00.

Williams Design Build

450 E. Gundersen Drive

Carol Stream, IL 60188

Phone: 630 221-0671

Fax: 630 221-0118

CHANGE ORDER REQUEST

No. 00019

TITLE: Modifications to Electrical Work

DATE: 7/27/2010

PROJECT: Village of Wheeling Fire Station 24

JOB: 28010

TO: Attn: Chief Keith MacIsaac
Wheeling Fire Department
255 West Dundee Road
Wheeling, ILLINOIS 60090
Phone: 847-459-2662 Fax: 847-459-2976

CONTRACT NO: 6

RE:

To:

From:

Number:

DESCRIPTION OF PROPOSAL

Per owner request furnish labor and material to modify and add additional outlets, data/phone jacks for furniture. Add to Shoreline Electric and deduct from project contingency.

Item	Description	Stock#	Quantity	Units	Unit Price	Tax Rate	Tax Amount	Net Amount
00001	Per owner request modify outlets for furniture/equipment and add additional data/phone jacks and outlets.		1.000		\$10,370.00	0.00%	\$0.00	\$10,370.00
00002	Williams Design-Build Fee (\$10,370 x 10%)		1.000		\$1,037.00	0.00%	\$0.00	\$1,037.00

Unit Cost: \$11,407.00

Unit Tax: \$0.00

Total: \$11,407.00

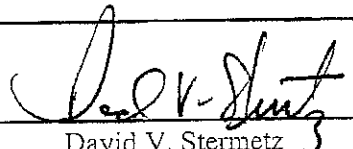
Correct Total: \$11,627.00
\$10,570.00 - Shoreline Electric
\$1,057.00 - Williams Design Build

Additional amount waived by
Shoreline & Williams 7/27/10 (KSM)

APPROVAL:

By: _____
Chief Keith MacIsaac

Date: _____

By: 
David V. Sternetz

Date: 7.27.10

SEC

SHORELINE ELECTRIC CO.

515 N. Wolf Road

Wheeling, Illinois 60090

Tel: (847) 419-7755 Fax: (847) 419-7651

TO

Williams

TERMS:

PHONE	DATE OF ORDER
ORDER TAKEN BY	CUSTOMER'S ORDER NUMBER
<input type="checkbox"/> DAY WORK	<input type="checkbox"/> CONTRACT
<input type="checkbox"/> EXTRA	
JOB NAME / NUMBER <i>Wheeler Station #29</i>	
JOB LOCATION	
JOB PHONE	STARTING DATE

QTY.	MATERIAL	PRICE	AMOUNT	DESCRIPTION OF WORK
20	Gen Boxes	3.00	60.00	Added Due To Turn Time
20	Medium Hangers	1.50	60.00	6- Data/Data/Phone 14
250	1/2 Greenfield	30	75.00	7- Duplex Outlets
36	Greenfield Connectors	50	18.00	7- IG Outlets
24	1900 Box + Cover	2.00	48.00	
300	3/4 Conduit	60	180.00	
20	3/4 Connectors	50	14.00	
30	3/4 Couplings	50	15.00	
40	3/4 Straps	50	20.00	OTHER CHARGES
100	R2 Anchors	20	20.00	See Attached
2000	R12 Wire	25	500.00	Low Voltage Concepts
7	Decorative Outlets	10.50	73.50	4373.00
7	IG Outlets	18.50	129.50	- INSTALL AUG
14	Finish Plates	1.00	14.00	CONNECTOR FOR FURNITURE
				TOTAL OTHER
				LABOR
				HRS. RATE AMOUNT
				Tony 2 90 180.00
				Mark 24 90 2160.00
				Andy 16 90 1440.00
				Tony (Saturday) 8 115 920.00
				Adam 3 90 270.00
				TOTAL LABOR 5670.00
				TOTAL MATERIALS 1227.00
				TOTAL OTHER 4373.00
				TOTAL 1129.00
				TAX
				TOTAL 12419.00
				10,370

DATE COMPLETED

TOTAL MATERIALS 1227.00

Work ordered by

Signature

Dan Stiller (WCM)

I hereby acknowledge the satisfactory completion of the above described work.

CORRECT AMOUNT
SHOULD BE
\$10,570.00 (KSM)

Low Voltage Concepts, Inc.

June 1, 2010

Mr. Tony Esposito
Shoreline Electric
515 North Wolf Road
Wheeling, IL 60090

Dear Tony:

Here is our quote for the Wheeling Fire Department additional work:

Scope of Work

- Install 6 dual locations wired with Cat 6e plenum cable
- Install 1 48 port patch panel
- Terminate and test

Price for 1100 feet of cat6e plenum cable @ .51: \$561.00

Price for 12 cat 6 jacks @ 6.90: \$82.80

Price for 6 duplex face plates @ 3.25: \$19.50

Price for 40 hours of labor @90 per hour: \$3,600.00

**Price for 48 port patch panel @ \$360.00 – 110 deduct for
exchanging 24 port: \$250.00**

The above price does not include any permit or bonding fees require by the city. If this is needed, we will bill you with the paper work form the city.

If you have any questions or require additional information, please call me at 847-426-1188. We look forward to working with you on this project.

Sincerely,

Mike Rayborn

113 Water Street East Dundee, IL 60118 847-426-1188 lvconcepts@yahoo.com



**WHEELING FIRE STATION PROJECT
499 S. MILWAUKEE AVENUE
CHANGE ORDER SUMMARY**

CHANGE ORDER	DESCRIPTION	SUBCONTRACTOR	DATE APPROVED	CHANGE ORDER AMOUNT	WILLIAMS MARK-UP	TOTAL CHANGE ORDER COST
1	Omit 604' perforated pipe & add 241' of PVC storm piping @ rear of structure.	TBS Construction	6/24/2009	\$9,444.33	\$0.00	\$9,444.33
2	Add outdoor air intake to Furnace F-1. Add air discharge of elevator to direct discharge to outside.	Jensen Plumbing & Heating	7/27/2009	-\$600.00	-\$165.00	-\$765.00
3	Omit Door Frame "D", revise Doors 112B & 124F to HM/modify hardware.	Stuckey Construction	7/28/2009	-\$492.80	-\$136.00	-\$628.80
4	Add 2nd 4" PVC conduit per Com. Ed. @ service point.	Shoreline Electric	7/27/2009	-\$4,599.00	-\$2,145.00	-\$6,744.00
5	Change seed mix @ Zone 3 (rear) to "low mow".	Breezy Hill Nursery	Void	\$0.00	\$0.00	\$0.00
6	Omit pre-action fire sprinkler system in computer room.	Alliance Fire Protection	9/30/2009	\$9,067.00	\$0.00	\$9,067.00
7	Omit smoke detector associated with CO #6.	Shoreline Electric	10/14/2009	\$261.00	\$0.00	\$261.00
8	MWRD resubmittal of modified existing sanitary sewer pipe elevation.	Williams Design Build	10/2/2009	-\$1,480.00	\$0.00	-\$1,480.00
9	Omit handrails in apparatus bay ramps.	K & K Ironworks	10/14/2009	\$1,320.00	\$0.00	\$1,320.00
10	Undercut & add stone to East & West drives due to poor soils.	Dupage Topsoil	10/28/2009	-\$67,798.00	\$0.00	-\$67,798.00
11	Omit remaining interconnect asphalt on North side.	Abbey Paving	11/13/2009	\$52,965.00	\$0.00	\$52,965.00
12	Add concrete interconnect on North side (see CO #11).	Builders Concrete	11/13/2009	-\$58,500.00	-\$7,531.00	-\$66,031.00
13	Add gravel to concrete base due to poor soil conditions on North & East areas.	Dupage Topsoil	11/13/2009	-\$10,266.00	-\$1,321.00	-\$11,587.00



**WHEELING FIRE STATION PROJECT
499 S. MILWAUKEE AVENUE
CHANGE ORDER SUMMARY**



CHANGE ORDER	DESCRIPTION	SUBCONTRACTOR	DATE APPROVED	CHANGE ORDER AMOUNT	WILLIAMS MARK-UP	TOTAL CHANGE ORDER COST
14	Omit light pole bases, wire, conduit, and labor for lights on Milwaukee Avenue.	Shoreline Electric	10/28/2009	\$4,720.00	\$0.00	\$4,720.00
15	Change standby electrical generator from Cummins to Baldor.	Shoreline Electric	11/25/2009	\$3,980.00	\$0.00	\$3,980.00
16	Wood trim to cover exposed precast concrete plank ends.	Stuckey Construction	7/12/2010	-\$1,504.92	-\$225.00	-\$1,729.92
17	Modify electrical outlets for furniture installation/modify data/phone system to 48 port patch panel.	Shoreline Electric	7/27/2010	-\$10,370.00	-\$1,037.00	-\$11,407.00

TOTAL

-\$73,853.39

-\$12,560.00

-\$86,413.39

(KEY: RED (-) = DEDUCTIONS FROM CONTINGENCY, BLACK (+) = ADDITIONS TO CONTINGENCY)

**TOTAL PROJECT CONTINGENCY
REMAINING PROJECT CONTINGENCY**

**\$253,571.00
\$167,157.61**

**PROJECT CONTRACT COST
ESTIMATED PROJECT COST (MINUS REMAINING CONTINGENCY)
PERCENTAGE UNDER BUDGET**

**\$6,011,902.00
\$5,844,744.39
2.86%**

**ORIGINAL CONSTRUCTION ESTIMATE
DIFFERENTIAL (ORIGINAL ESTIMATE - CURRENT ESTIMATED COST)
PERCENTAGE UNDER ORIGINAL ESTIMATE**

**\$6,997,279.00
\$1,152,534.61
19.72%**